

F.#2010R00036 / OCDETF # NY-NYE-645
WMN:JDL

M-10-1395

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

TO BE FILED UNDER SEAL

- against -

PAULINE WILTSHERE,

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF APPLICATION
FOR ARREST WARRANT

Defendant.

(21 U.S.C. § 846)

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

PETER C. SURETTE, being duly sworn, deposes and states that he is a Special Agent with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between May 28, 2008 and October 18, 2010, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant PAULINE WILTSHERE, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing Adderall, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

(Title 21, United States Code, Section 846).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I have been a Special Agent with the DEA for approximately five years. My primary responsibility is to investigate the diversion of legally manufactured controlled substances into the illicit market. I have had experience investigating cases in which Schedules II through V controlled substances have been purchased from complicit doctors and sold to abusers of those substances.

2. My information in this case comes from my direct participation in the investigation, a review of DEA and prescription records, discussions with other DEA agents, and discussions with an Anonymous Tipster (the "AT"), a Confidential Source (the "CS"), and a Cooperating Witness (the "CW"),^{2/} each of whose information has proven to be reliable in the past and has been corroborated by independent evidence.

3. In or about October 2009, the AT contacted DEA agents and stated, in sum and substance, that the defendant PAULINE WILTSHERE, was a member of a conspiracy, originally based out of a hospital in Brooklyn, New York, the members of which

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

^{2/} The CW faces federal narcotics charges and is cooperating with the government in expectation of receiving a lesser sentence.

would obtain prescriptions for Adderall from co-conspirator medical residents at the hospital. DEA agents have had numerous contacts with the AT by e-mail and telephone. Adderall is a Schedule II controlled substance. According to the AT, WILTSHERE's role included being listed as the patient on prescriptions and then selling the Adderall to third parties. According to the AT, WILTSHERE sold Adderall pills to customers in person and also over the Internet, using PayPal to receive payment and United States Postal Service overnight mail to ship the Adderall pills to the customers. The AT also stated, in sum and substance, that WILTSHERE had continued distributing Adderall in Saint Kitts, where she is currently a medical student. The AT also described WILTSHERE as approximately 5'8" tall with long blonde hair. As discussed below, the information provided by the AT was corroborated by other individuals not known to the AT as well as the purchase of Adderall pills by an undercover DEA agent in the exact manner described by the AT.

4. Since being contacted by the AT, investigation by DEA agents has confirmed that the defendant PAULINE WILTSHERE is a member of an organization that trafficks in prescription controlled substances, namely Adderall.

5. The investigation has revealed that the defendant PAULINE WILTSHERE, together with others, receives prescriptions from doctors as a purported patient. As discussed below, the co-

conspirators who serve as purported patients do not use the prescribed medications, but instead divert them for distribution to third parties for profit. A review of prescription records shows that, between May 28, 2008 and April 16, 2010, the members of the conspiracy filled prescriptions for over 11,000 Adderall pills.

6. Between May 28, 2008 and December 21, 2009, the defendant PAULINE WILTSHERE herself was listed as a patient on prescriptions for over 2,000 Adderall pills. Notably, these prescriptions were frequently filled in a succession of dates too close together to have been used exclusively for legitimate medical purposes.

7. On August 19, 2010, DEA agents interviewed the CS. The CS stated that he/she is addicted to Adderall. The CS stated that he/she had answered an advertisement on Craigslist to obtain Adderall pills. The CS stated that he/she had created an e-mail account (the "CS e-mail account") to purchase Adderall. The CS further stated that he/she had communicated with an individual who was using an e-mail address that the CS identified as khrispetrolio@gmail.com to purchase Adderall on multiple occasions. The CS stated that his/her first purchase of Adderall from this source was made in person in Park Slope, Brooklyn. The CS stated that he/she purchased Adderall pills in exchange for cash from a woman with blonde hair, who was slightly taller than

the CS. Notably, the CS is approximately 5'6". The CS stated that he/she made subsequent purchases of Adderall using PayPal and received the Adderall pills via the United States Postal Service.

8. The CW is a member of the Adderall diversion conspiracy. DEA agents have interviewed and debriefed the CW extensively. The CW has informed DEA agents that the defendant ^{A Similar P 11/23/10} PAULINE WILTSHERE uses ~~the~~ e-mail address chrispetrolio@yahoo.com to sell Adderall over the Internet. The CW has also informed DEA agents that WILTSHERE has blonde hair.

9. DEA agents assumed control of the CS e-mail account and began to use it in an undercover capacity. DEA agents began negotiating the purchase of Adderall pills from the defendant PAULINE WILTSHERE, who was using the e-mail address chrispetrolio@yahoo.com. On September 7, 2010, DEA agents deposited \$200 into a PayPal account associated with the CS e-mail account. On September 10, 2010, DEA agents transmitted a \$200 payment via PayPal to an account associated with the e-mail address chrispetrolio@yahoo.com.

10. On or about September 24, 2010, DEA agents received an e-mail from the e-mail address chrispetrolio@yahoo.com stating, among other things, that the user of the account would "be back in the states on Dec 25th." DEA agents have confirmed that the defendant PAULINE WILTSHERE

has purchased an airplane ticket to return to the United States from Saint Kitts on December 25, 2010.

11. On or about September 28, 2010, DEA agents received an e-mail from the user of the chrispetrolio@yahoo.com e-mail account stating, among other things, that her sister had Adderall and might be willing to send it to the CS. On October 6, 2010, DEA agents received another e-mail from the user of the chrispetrolio@yahoo.com e-mail account stating, among other things, that her sister would, in fact, be willing to send Adderall pills to the CS. On October 17, 2010, DEA agents received another e-mail stating, among other things, that the sister would be mailing out the Adderall pills "in the morning."

12. On October 19, 2010, DEA agents received a United States Postal Service parcel containing 11 Adderall 30 mg pills. The return address on the package indicated that it had been shipped by "Chris Petrolio." A mailing label on the parcel indicated that it had been shipped from a post office in the 37902 ZIP code in Knoxville, Tennessee. DEA agents have confirmed that the defendant PAULINE WILTSHERE has a sister and that the sister's place of employment is located a few blocks away from this post office.

WHEREFORE, your deponent respectfully requests that the defendant PAULINE WILTSHERE be dealt with according to law.



PETER C. SURETTE
Special Agent
Drug Enforcement
Administration

Sworn to before me this
23rd day of November, 2010

UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK